

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADIL SHAFI,

Counter-Plaintiff/Third Party Plaintiff,

vs

Case No: 09-10454
Honorable Victoria A. Roberts

FREDERICK WEIDINGER and
BRAINTECH, INC.,

Third Party Defendant/Counter-Defendant.

AND

ROBOTIC VISION TECHNOLOGIES, LLC, and
FREDERICK WEIDINGER,

Plaintiff

vs

Case No: 11-12909
Honorable Victoria A. Roberts

ADIL SHAFI,

Defendant.

ORDER

On October 11, 2011, the Court held a Status Conference. Attending were Sheryl Laughren and David Foy representing Adil Shafi; Anne Widlak and Susan Koval representing Braintech; and Tom McNeill representing Frederick Weidinger and Robotic Vision Technologies.

The parties pointed out that in July, 2011, a related case, *Robotics Vision Technologies LLC, et al v Adil Shafi*, case no: 11-12909 was transferred from the Eastern District of Virginia and is pending here under case number 11-12909. It was

transferred with a motion to dismiss pending, fully briefed albeit under Fourth Circuit law.

Based on the discussion held, the Court orders:

1. The motion to dismiss in case no: 11-12909 will be resubmitted relying on Sixth Circuit Law.

This is the briefing schedule:

Motion Due: November 4, 2011

Response: November 14, 2011

Reply: November 21, 2011

Motion Hearing: December 20, 2011 at 2:00 pm

Discovery is stayed pending resolution of this motion.

2. A motion in limine is pending in 09-10454.

This is the briefing schedule:

Response Due: November 4, 2011

Reply: November 14, 2011

If the Court denies the motion to dismiss, it will consider whether these two cases should be consolidated for purposes of trial.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: October 14, 2011

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 14, 2011.

s/Linda Vertriest _____
Deputy Clerk